



WEB COPY



Crl.R.C. NO. 64 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2026

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C. No.64 of 2026

S. Kathiravan

..Petitioner

Vs.

The Inspector of Police(Crime),
T-14, Mangadu Police Station,
Chennai – 600 122.

..Respondent

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of BNSS to call for the records and to set aside the order dated 07.07.2025 passed in Crl.M.P. No. 352 of 2025 by the learned Judicial Magistrate at Sriperumbudur.

For Petitioner :: Mr.E. Sivanandan

For Respondent :: Mr.R.Vinothraja,
Govt. Advocate
(Crl.Side)

O R D E R

The revision challenges the dismissal of the petitioner's application filed under Section 175(3) of BNSS.



Crl.R.C. NO. 64 of 2026

2. The petitioner had lodged a complaint against the proposed accused stating that they had agreed to sell a land measuring 4.17 acres for a total consideration of Rs. 65 lakhs; that they had received a sum of Rs.40 lakhs as advance; that they had handed over the original title deeds relating to the property to the petitioner; that thereafter, without registering any document in favour of the petitioner or returning the advance amount, had executed sale deeds in favour of third parties after obtaining a non-traceable certificate from the Nazarathpet Police Station on 19.12.2019; that since the Police did not register any complaint, the petitioner approached the learned Magistrate, who dismissed the said complaint by the impugned order.

3. Learned Magistrate found that the complaint was lodged with a delay of 4 years after the initial transaction and that the delay raises a doubt about the bona fides of the complaint.

4. Learned counsel for the petitioner would submit that the original title deeds of the property are still in the custody of the petitioner; that the delay cannot erase the offence committed by the proposed accused and that since they have committed a cognizable offence by misleading the



Crl.R.C. NO. 64 of 2026

Police by falsely stating that the documents are not traceable, the complaint ought to have been registered as an FIR.

5. Learned Government Advocate (Crl.Side) has filed the status report of the respondent. The respondent, in the status report, has stated that the proposed accused have not explained as to how the original title deeds are in possession of the petitioner.

6. It is seen from the agreement of sale produced by the petitioner that the proposed accused had handed over the original title deeds to the petitioner and the same had been recorded in the agreement. The proposed accused had, thereafter, obtained non-traceable certificate from Nazarathpet Police Station on 19.12.2019.

7. *Prima facie*, this Court is of the view that the proposed accused have made false statements to obtain non-traceable certificate. Hence, it cannot be said that the petitioner has given a criminal colour to a civil dispute. Hence, this Court is inclined to set aside the impugned order and direct the respondent to conduct a preliminary enquiry and if any cognizable offence is made out, register an FIR within a period of six weeks from the date of receipt of a copy of this order.



WEB COPY



Crl.R.C. NO. 64 of 2026

SUNDER MOHAN,J.

nv

8. With the above direction, the revision is disposed of.

Neutral Citation:Yes/No

11.02.2026

nv

To

1. The Judicial Magistrate,
Sriperumbudur.
- 2.The Inspector of Police(Crime),
T-14, Mangadu Police Station,
Chennai – 600 122.
- 3.The Public Prosecutor,
High Court, Madras.

Crl.R.C. NO. 64 of 2026